

What if all that's needed is a minor change?

If a proposed change is of "minor" significance and does not affect the general intent or purpose of the zoning order, a minor variance can be considered by the minister.

The process of applying for a minor variance is almost the same as for a zoning order amendment, except that the need for public notice and appeal is eliminated.

What about subdivisions, land severances and building permits?

- Applications for plans of subdivisions are submitted to the Minister of Municipal Affairs and Housing (or delegate) for approval. In Elliot Lake, North Bay, Sault Ste. Marie, Sudbury, Thunder Bay and Timmins, the authority to approve plans of subdivision is assigned to the municipal councils by legislation. Plans of subdivision are processed in the same manner as elsewhere in Ontario.

To find out who is responsible for plans of subdivision in your area – the minister, municipal council or planning board – and how to apply, contact your municipality or planning board. (See Subdivisions, No. 4 in the series.)

- The land severance process is generally the same throughout the province, but in northern Ontario the processing of applications may be done by various authorities – the minister, municipal council or the planning board. To find out who is responsible for severances in your area, and how to apply, contact your municipality or planning board. (See Land Severances, No. 5 in the series.)
- Building permits are issued in northern Ontario the same way as in southern Ontario. (See Building Permits, No. 8 in the series.)

What other approvals may be required?

In addition to the planning approvals and building permit which are required for a building project, there are other permits and approvals required in particular circumstances. For example, a septic tank permit is required for a new septic system. In cottage areas, a permit may be required from the Ministry of Natural Resources before you do any construction in the water (for example, a dock or boathouse with solid foundation).



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How can you find out more?

For more information about land use planning in your community or for copies of the Citizens' Guides, contact your municipal clerk or planning department, or your nearest Ministry of Municipal Affairs and Housing office:

Provincial Planning Services Branch
(416) 585-6014
Toll Free : 1-800-935-0696
Fax: (416) 585-4245 or 585-4006

Planning Policy Branch
(416) 585-6235
Fax: (416) 585-6870

Regional Operations Branch - Toronto
(416) 585-7296
FAX: (416) 585-7292

Eastern - Kingston
(613) 548-4304
Toll Free : 1-800-267-9438
FAX: (613) 548-6822

Southwestern - London
(519) 673-1611
Toll Free : 1-800-265-4736
FAX: (519) 661-1677

Northeastern - Sudbury
(705) 564-0120
Toll Free : 1-800-461-1193
FAX: (705) 564-6863

Northwestern - Thunder Bay
(807) 475-1651
Toll Free : 1-800-465-5027
FAX: (807) 475-1196

Central - Toronto
(416) 327-0017
Toll Free : 1-800-668-0230
FAX: (416) 327-0980

Copies of the Guides may also be obtained from
Publications Ontario (416) 326-5300 or
1-800-668-9938

Visit the Ministry's Internet site at:
www.mmah.gov.on.ca



Citizens' Guide

Northern Ontario



Introduction

Land use planning affects almost every aspect of life in Ontario. It helps decide where in our communities homes and factories should be built; where parks and schools should be located; and where roads, sewers and other essential services should be provided.

Land use planning means managing our land and resources. It helps each community to set goals about how it will grow and develop and to work out ways of reaching those goals while keeping important social, economic and environmental concerns in mind. It balances the interests of individual property owners with the wider interests and objectives of the whole community.

Good planning leads to orderly growth and the efficient provision of services. It touches all of us and helps us to have the kind of community we want.

But often we don't see how it affects our lives and property each day. And it often seems confusing.

This series of Citizens' Guides has been prepared to help you understand how the land use planning process works in Ontario. They are intended to give general information only and are not an interpretation of the Planning Act or any other act. You should refer to the legislation for specific requirements and procedures. The titles of the guides are:

1. The Planning Act
2. Official Plans
3. Zoning By-laws
4. Subdivisions
5. Land Severances
6. Ontario Municipal Board
7. Northern Ontario
8. Building Permits
9. One-Window Provincial Planning Service/
Municipal Plan Review
10. Making Mediation Work For You

How is planning different in northern Ontario?

In northern Ontario, some of the steps involved in land use planning differ from those in the remainder of the province. Among the reasons:

- Municipal structure in the north is not the same as in southern Ontario.
- Long distances between communities sometimes make public participation in planning issues difficult.
- Much of northern Ontario is Crown land.

As a result, land use planning in some northern municipalities, and in areas that have no municipal organization, is shared by three authorities:

- Planning boards, which coordinate over-all future growth and land use planning activities. They can also pass zoning by-laws in areas without municipal organization within their jurisdiction.
- The Minister of Municipal Affairs and Housing defines planning areas and initiates zoning controls in some areas without municipal organization.
- The Ministry of Natural Resources (MNR), which manages Crown land on behalf of the public.

What does a planning board do?

A planning board is authorized to prepare an official plan for the planning area. In northern Ontario, planning areas are made up of various combinations of municipalities and areas without municipal organization. Members of planning boards representing municipalities are appointed by the local municipal councils, and members from the areas without municipal organization by the Minister of Municipal Affairs and Housing. The minister decides the number of members to be appointed. In

addition to preparing official plans and zoning by-laws for the planning area, planning boards also provide advice and assistance to municipal councils and the minister in matters of local land use planning.

If there is no established municipal structure, planning boards assume the planning role of councils. They develop policies on land use planning that reflect the interests of the entire planning area, and coordinate over-all future growth. They also have the power to pass zoning by-laws for areas without municipal organization within the planning area.

Where the authority is delegated, planning boards also carry out planning functions on behalf of the minister, with the exception of the approval of official plans and amendments. The delegated functions may include the power to grant consents and administer zoning orders. A delegated planning board may charge a fee for processing applications.

What is the role of the Minister of Municipal Affairs and Housing?

In northern Ontario, the minister:

- defines and establishes planning areas and planning boards
- coordinates provincial interests through the input, review and approval of planning applications and decisions where it is the approval authority
- acts in place of municipal councils in areas without municipal organization, unless planning boards have been established
- approves official plans and amendments, or exempts official plans and amendments from approval
- enacts minister's zoning orders in the areas without municipal organization

- where planning boards exist, may deem minister's zoning orders in the areas without municipal organization to be the zoning by-laws of the planning boards
- approves development applications (plans of subdivision and land severance applications), except in major urban areas and where approval is given to other approval authorities

What is the role of the Ministry of Natural Resources?

The Ministry of Natural Resources (MNR) is responsible for the planning and management of Crown land in Ontario. Its activities are related to the use of Crown land, water, forest, fish, wildlife and mineral aggregates as well as outdoor recreation.

Before Crown land is developed, MNR consults with affected municipal councils and planning boards and takes into consideration existing official plans and policies. MNR staff also refer to MNR land use and resource management plans to help guide development activities on Crown land. These documents are not "official plans" but contain important information for the protection and use of Ontario's natural resources.

How are official plans and official plan amendments prepared?

Although the process is very similar throughout Ontario, there are a few special provisions that apply only to official plans and amendments in the north. These establish the local approval requirements involving the recommendation of a plan by the area planning board for adoption by the municipal councils in a planning area. In a planning area made up of areas without municipal organization, the official plan will be prepared and adopted by the planning board. As in southern Ontario, once a decision is made, the proposal must be approved by

the Minister of Municipal Affairs and Housing, unless the plan is exempt from approval by the minister.

For more detailed information about how the process works in your area, contact your municipality or planning board. (See Official Plans, No. 2 in the series.)

How does zoning differ in northern Ontario?

In northern Ontario where local municipalities exist, zoning is handled in the same way as in the remainder of Ontario. (See Zoning By-laws, No. 3 in the series.)

In areas without municipal organization, the Minister of Municipal Affairs and Housing may enact minister's zoning orders. If the area covered by the minister's zoning order is within a planning area, the minister may decide to either delegate administration of the order to the local planning board or deem it to be the zoning by-law of the planning board, in which case the planning board will assume all the powers of a municipal council over zoning matters.

When a zoning order is imposed, the usual requirements for notice, public information and a public meeting do not apply. But within 30 days of issuing an order, the minister gives public notice and makes a copy of the order available at the appropriate land registry office.

Zoning orders take precedence over any existing local zoning by-laws, and define:

- areas where development can take place
- specific controls to protect against indiscriminate development
- standards for land development, such as lot size, parking requirements, and floor space within each zone

Any utility or hydro hook-up will not be approved without a letter of conformity which certifies that a proposal conforms to the minister's zoning order. The letter is issued by the agency responsible for administering the order.

Fines can also be imposed for contravention of a zoning order.

How can minister's zoning orders be changed?

Amending all or part of a zoning order involves submitting an application to the minister or to the local planning board. Where the minister has delegated the administrative authority, the planning board is responsible for:

- evaluating the application against the area's official plan and the Provincial Policy Statement
- providing information to the public, including a public notice in a local newspaper to give details about the proposal and to provide an opportunity for concerned citizens to write to request a referral of the proposal to the Ontario Municipal Board (OMB)
- consulting with any interested individuals and agencies
- recommending a decision to the minister

The minister decides to either approve or refuse the proposal. If anyone's concerns cannot be resolved through discussions with the planning board or ministry staff, the person may ask the minister to refer the matter to the OMB for a hearing. The request must be in writing. The decision of the OMB is final.

The OMB is an independent administrative tribunal responsible for hearing appeals and deciding on a variety of contentious municipal matters. (See Guide to the Ontario Municipal Board, No. 6 in the series.)